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Contents

<i>No.</i>	<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS		
Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van		
R. 6510 National Credit Act, 2005: National Credit Amendment Regulations	53154	3

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. R. 6510

13 August 2025

NATIONAL CREDIT ACT, 2005**NATIONAL CREDIT ACT AMENDMENT REGULATIONS**

I, Mr Mpho Parks Tau, Minister of Trade, Industry and Competition, intends, in terms of section 171(1) of the National Credit Act, 2005 (Act No. 34 of 2005) to make the Regulations in the Schedule.

Interested parties are invited to submit written comments, not later than 30 days from the date of the publication of this Notice to:

DIRECTOR-GENERAL

Department of Trade, Industry and Competition
Private Bag X 84
Pretoria, 0001

or

hand delivered to:
77 Meintjies Street
Block B, 1st Floor
Sunnyside, Pretoria

Mailing such comments can be done electronically to the following address:
Credit@thedtic.gov.za.

Comments must be addressed to the Director-General: Department of Trade, Industry and Competition.



MR MPHIO PARKS TAU, MP
MINISTER OF TRADE, INDUSTRY AND COMPETITION
DATE: 31/07/2025

SCHEDULE

Definition

1. In this Schedule, the “Regulations” means the Regulations made in terms of the National Credit Act, 2005 (Act No. 34 of 2005), and published under Government Notice No. R. 489 of 31 May 2006, as amended by Government Notice Nos. 1209 of 30 November 2006, 604 of 29 May 2008, 202 of 13 March 2015 and 1080 of 6 November 2015.

Amendment of regulation 18 of the Regulations

2. Regulation 18 of the Regulations is hereby amended by—
- (a) the substitution for subregulation (1) of the following subregulation
 - (a) identified by the consumer's or person's (including a juristic person's) identity number, passport number or registration number, or where no identity number, passport number or registration number is available for a particular person, any other reasonable method to identify the record;
 - (b) the insertion in subregulation (4) after paragraph (j) of the following paragraphs:
 - “(k) the application for credit or funding by a small business; or
 - (l) the consideration of the credit status and financial position of the related persons of a small business;
 - (m) ongoing credit risk management by credit providers and customer credit agreement management by credit providers;
 - (c) the substitution for subregulation (6) of the following sub-regulation:
 - “(6) In addition to the consumer credit information contemplated in section 70 (1) of the Act, a registered credit bureau may receive, compile and report only the following information in respect of a consumer or person (including a juristic person):
 - (a) Status and history of outstanding obligations and payments in respect of goods, services or utilities supplied to consumers or the person”;
 - (d) the substitution for subregulation (7) of the following sub-regulation:

“(7) In addition to the sources of consumer credit information contemplated in section 70(2) of the Act, a registered credit bureau may receive consumer or person (including a juristic person) credit information in respect of a consumer from any person, provided the originating source of the information is one of the following persons:

- (a) An organ of state, a court or judicial officer;
- (b) Any person who supplies goods, services or utilities to consumers or persons, whether for cash or on credit;
- (c) A person providing long term and short term insurance;
- (d) Entities involved in fraud investigation;
- (e) Educational institutions;
- (f) Debt collectors to whom book debt was ceded or sold by a credit provider;”.

Amendment of regulation 19 of the Regulations

3. Regulation 19 of the Regulations is hereby amended by—

- (a) the substitution for subregulations (1) and (2) of the following subregulations:
 - “(1) The information submitted to a credit bureau must contain the following information in respect of a consumer or person (including a juristic person where relevant):
 - (a) Initials and surname or full names and surname or registered name or trading name;
 - (b) SA identity number, or if the consumer does not have an identity number, the passport number and date of birth or registration number.
 - (2) In as far as it is available, the following information must be included when consumer information is submitted to a credit bureau:
 - (a) Residential address and telephone number or registered business address or principal place of business address;
 - (b) details of employer and place of work, if self-employed or unemployed, a statement to that effect or if a business the relevant industry.”;
- (b) the substitution for subregulation (13) of the following subregulation:
 - “(13) A credit provider and data providers must submit credit information to the credit bureaus in the manner and form prescribed by the National Credit

Regulator through conditions of registration or any guidelines that may be issued by the National Credit Regulator from time to time.”;

Amendment of regulation 23A of the Regulations

4. Regulation 23A of the Regulations is hereby amended by–

- (a) the substitution for subregulations (3) and (4) of the following subregulations:
- “(3) A credit provider must take practicable steps to assess the consumer or joint consumer’s discretionary income or financial means and prospects (including reasonable revenue flow from a commercial activity funded by the credit agreement) to determine whether the consumer has the financial means and prospects to pay the proposed credit instalments.
- (4) A credit provider must take practicable steps to validate gross income or financial means and prospects (including reasonable revenue flow from a commercial activity funded by the credit agreement).”;
- (b) the substitution for subregulations (8) and (9) of the following subregulations:
- “(8) A credit provider must make a calculation of the consumer’s existing financial means, prospects and obligations as envisaged in sections 78(3) and 81(2)(a)(iii) of the Act including the consideration of the realisation of assets as financial prospects or reasonable future revenue which may be generated by a commercial purpose funded by the credit agreement.
- (9) The credit provider must utilise the minimum expense norms table below, broken down by monthly gross income when calculating the existing financial obligations of consumers. This table does not apply to small business and the realistic business expenditure must be disclosed by the consumer to the credit provider.”.

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